

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
CIVIL ACTION NO. 5:15-cv-00097-BO

KIRSTEN MESSMER,

Plaintiff,

v.

DONNIE HARRISON, in his Official
Capacity as Sheriff of Wake County, North
Carolina, PAT McCRORY, in his Official
Capacity as Governor of North Carolina,
ROY COOPER, in his Official Capacity as
Attorney General of North Carolina, and
FRANK L. PERRY, in his Official
Capacity as Secretary of the North
Carolina Department of Public Safety,

Defendants.

DECLARATION OF CAMDEN R. WEBB
IN SUPPORT OF PLAINTIFF'S
MOTION FOR ATTORNEY'S FEES

I, Camden R. Webb, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am over the age of 18 and am competent to make this Declaration. I have personal knowledge of the facts stated herein.
2. I am a litigation partner in the Raleigh office of Williams Mullen. Williams Mullen is a regional law firm based in Richmond, Virginia with 10 offices and approximately 250 attorneys. My biography, as prepared by Williams Mullen, is attached hereto as **Exhibit A**.
3. I am an attorney licensed to practice law in the State of North Carolina, and have been so licensed since 1995. My practice focuses on civil litigation and firearms law, among other things, and I am the chair of my firm's Firearms Industry Practice Group. I have been employed at the law firm of Williams Mullen, formerly Maupin Taylor, since 1999. Prior to my

current employment, I was a Judge Advocate in the United States Army. I am the responsible attorney for the above-captioned action.

4. I have been engaged as counsel on behalf of Kirsten Messmer (“Plaintiff”) in the above-captioned matter since March, 2015. In that role, I have prepared, reviewed, and revised several pleadings, motions, and briefs on behalf of the Plaintiff; provided substantive guidance with regard to Equal Protection and Second Amendment rights and jurisdictional issues; analyzed and researched relevant legal issues; supervised the work of members of my firm; discussed resolution of the case with opposing counsel; and attended and argued hearings in this case.

5. From March 2015 to August 25, 2015, I and members of Williams Mullen spent 79.10 hours representing the Plaintiff in this matter. The legal work for these hours is detailed in **Exhibit B**.

6. I have not spent any more time on this matter than necessary to pursue the claims on behalf of the Plaintiff, and my time is not duplicative of time billed by other counsel for the Plaintiff.

7. I and the other members of the firm who have worked on this file have billed the file at our standard rates. When this file was opened in March, 2015, the standard rates for the members of the firm who worked on this file were as follows: Camden R. Webb, \$460 per hour; Elizabeth C. Stone, a senior associate, \$320 per hour; Joseph M. Pope, a senior associate, \$335 per hour; and Lisa M. Katz, a paralegal with 17 years’ experience, \$195 per hour.

8. Based upon the rates stated in paragraph 7 and the hours stated in paragraph 5 above, the total fees as of August 25, 2015 are \$30,496.50.

8. I made the decisions on how to staff this case and which members of the firm to ask for assistance in representing the Plaintiff. Ms. Katz has been a paralegal in our Raleigh office since 2010, and I ask her assistance on all my cases that need paralegal work, chiefly for drafting and filing pleadings and for conducting investigations. Ms. Stone has been an associate in our Raleigh office since 2007. Ms. Stone works with me on the majority of my cases, and she has significant experience in motions practice in the Eastern District of North Carolina. I therefore asked her assistance with various legal research and writing responsibilities in the case. Mr. Pope has been an associate in our Richmond office since 2010, and he has significant experience with civil rights cases. I asked for his assistance with some legal research issues at a time when Ms. Stone was unavailable due to her other client obligations.

9. In addition to attorneys' fees, my firm incurred costs and expenses in the sum of \$583.07. These costs and expenses are detailed in **Exhibit B**.

10. On August 5, 2015, Governor McCrory signed into law House Bill 562, which amended N.C. Gen. Stat. § 14-415.12(a)(1) to eliminate the requirement that a person be a United States Citizen to be issued a Concealed Handgun Permit. Ms. Katz and I conducted some brief research on the legislative history of House Bill 562. The first mention we found of a change in the citizenship requirement of N.C. Gen. Stat. § 14-415.12(a)(1) was a Legislative Bill Analysis dated June 8, 2015, just over 6 weeks after the Court's order on preliminary injunction in this case. The Bill Analysis states that Section 17 of the bill "would authorize a permanent resident of the United States to obtain a North Carolina concealed handgun permit." The Bill Analysis is attached hereto as **Exhibit C**.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

This the 26th day of August, 2015.



CAMDEN R. WEBB

CERTIFICATE OF SERVICE

I hereby certify that on August 28, 2015, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Andrew H. Erteschik – aerteschik@poynerspruill.com

Hal F. Askins – haskins@ncdoj.gov

J. Joy Strickland – jstrickland@ncdoj.gov

J. Nicholas Ellis – jnellis@poynerspruill.com

WILLIAMS MULLEN

BY: /s/Camden R. Webb
Camden R. Webb
N.C. State Bar No. 22374
crwebb@williamsmullen.com
301 Fayetteville Street, Suite 1700
Raleigh, NC 27601
Telephone (919) 981-4000
Facsimile (919) 981-4300
Attorneys for Plaintiff